



General Assembly

February Session, 2004

Substitute Bill No. 5474

* _____HB05474FIN____033004_____*

**AN ACT CONCERNING REVISIONS TO CERTAIN DEPARTMENT OF
MOTOR VEHICLE STATUTES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 14-16 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2004*):

4 (c) If the owner of a registered motor vehicle dies, the registration
5 for the vehicle shall, unless the vehicle is destroyed, continue in force
6 as a valid registration until the end of the registration period unless: (1)
7 Ownership of the vehicle is transferred pursuant to subsection (b) of
8 this section or by the deceased owner's executor, administrator, legatee
9 or distributee prior to the end of the registration period, in which case
10 the registration shall continue in force until the time of the transfer; or
11 (2) ownership of the vehicle is transferred to the brother, sister, father,
12 mother, child or spouse of the owner, in which case the registration
13 shall, upon the payment of a fee of [five] twenty dollars, continue in
14 force until the end of the registration period or until the ownership is
15 sooner transferred to a person other than such a relative. [On and after
16 July 1, 1986, the fee shall be ten dollars, on and after July 1, 1988,
17 eleven dollars, and on and after July 1, 1992, twelve dollars.] If at the
18 end of the registration period the relative has not transferred

19 ownership of the vehicle and the relative applies for registration of the
20 vehicle, the registration shall not be subject to the provisions of
21 subsection (a) of section 12-71b.

22 Sec. 2. Subsection (d) of section 14-16 of the general statutes is
23 repealed and the following is substituted in lieu thereof (*Effective July*
24 *1, 2004*):

25 (d) If a motor vehicle is transferred in connection with the
26 organization, reorganization or dissolution, or because of the partial
27 liquidation, of an incorporated or unincorporated business in which
28 gain or loss to the transferor is not recognized for federal income tax
29 purposes under the Internal Revenue Code and Treasury regulations
30 and rulings issued thereunder, the registration of the vehicle shall,
31 upon the payment of a fee of [five] twenty dollars, continue in force
32 until the end of the registration period or until the registration is
33 sooner transferred to anyone outside the original business
34 organization. [On and after July 1, 1986, the fee shall be ten dollars, on
35 and after July 1, 1988, eleven dollars, and on and after July 1, 1992,
36 twelve dollars.] If the transferee of the motor vehicle has not
37 transferred ownership of the motor vehicle to anyone outside the
38 original business organization at the end of the registration period and
39 the transferee applies for a registration for the vehicle, the registration
40 shall not be subject to the provisions of subsection (a) of section 12-71b.

41 Sec. 3. Subsection (e) of section 14-16 of the general statutes is
42 repealed and the following is substituted in lieu thereof (*Effective July*
43 *1, 2004*):

44 (e) A person who transfers ownership of a registered motor vehicle
45 to another may have registered in his name, upon the filing of a new
46 application and the payment of the fee required by subsection (i) of
47 section 14-49, as amended by this act, another motor vehicle for the
48 remainder of the registration period if the gross weight of the other
49 motor vehicle is the same or less than that of the transferred motor
50 vehicle and the registration of the transferred motor vehicle has been

51 surrendered. If the gross weight of the other motor vehicle is greater
52 than the gross weight of the motor vehicle the registration of which has
53 been surrendered, the applicant shall pay, in addition to such fee, the
54 difference between the fee paid by him for the surrendered registration
55 and the fee for the registration of the motor vehicle of greater gross
56 weight. The minimum fee for any such transfer shall be [five] twenty
57 dollars. [On and after July 1, 1985, the minimum fee shall be seven
58 dollars and fifty cents, on and after July 1, 1986, ten dollars, on and
59 after July 1, 1988, eleven dollars, and on and after July 1, 1992, twelve
60 dollars.]

61 Sec. 4. Subsection (i) of section 14-49 of the general statutes is
62 repealed and the following is substituted in lieu thereof (*Effective July*
63 *1, 2004*):

64 (i) For the transfer of the registration of a motor vehicle previously
65 registered, except as provided in subsection (e) of section 14-16, as
66 amended by this act, and subsection (d) of section 14-253a, there shall
67 be charged a fee of [eleven] twenty dollars.

68 Sec. 5. Subsection (n) of section 14-49 of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective July*
70 *1, 2004*):

71 (n) For each temporary registration [for a period of ten days or less,
72 (1) when the motor vehicle is a passenger or dealer's car or motorcycle
73 or side car, the fee shall be six dollars, and on and after July 1, 1992,
74 seven dollars; (2) when the motor vehicle is used to transport
75 passengers for hire, the fee shall be five dollars per day, and on and
76 after July 1, 1992, six dollars; (3) when the motor vehicle is used for
77 commercial purposes and under three tons capacity, the fee shall be
78 twenty-two dollars, and on and after July 1, 1992, twenty-five dollars;
79 and (4) when the capacity is over three tons, the fee shall be forty
80 dollars, and on and after July 1, 1992, forty-six dollars] of a motor
81 vehicle not used for commercial purposes, or renewal of such
82 registration, the commissioner shall charge a fee computed at the rate

83 of twenty dollars for each ten day period, or part thereof. For each
84 temporary registration of a motor vehicle used for commercial
85 purposes, or renewal of such registration, the commissioner shall
86 charge a fee computed at the rate of twenty-five dollars for each ten-
87 day period, or part thereof, if the motor vehicle has a gross vehicle
88 weight rating of six thousand pounds or less. For each temporary
89 registration of a motor vehicle used for commercial purposes, or
90 renewal of such registration, the commissioner shall charge a fee
91 computed at the rate of forty-six dollars for each ten-day period, or
92 part thereof, if the motor vehicle has a gross vehicle weight rating of
93 more than six thousand pounds.

94 Sec. 6. Subsection (z) of section 14-49 of the general statutes is
95 repealed and the following is substituted in lieu thereof (*Effective July*
96 *1, 2004*):

97 (z) For each special use registration for a period of thirty days or
98 less, the fee shall be [ten] twenty dollars.

99 Sec. 7. Subsection (f) of section 14-50 of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective July*
101 *1, 2004*):

102 (f) Whenever any check issued to the commissioner in payment of
103 any fee is returned as uncollectible, the commissioner shall charge the
104 drawer of such check or the person presenting such check to him a fee
105 of [fifteen] thirty-five dollars for each such check which is drawn in an
106 amount of not more than [one] two hundred dollars, and a fee of
107 fifteen per cent of the full amount of each such check which is drawn
108 in an amount in excess of [one] two hundred dollars, [but not more
109 than two hundred dollars and thirty-five dollars for each such check
110 which is drawn in an amount in excess of two hundred dollars,] plus
111 all protest fees, to cover the cost of collection.

112 Sec. 8. Subsection (a) of section 14-65 of the general statutes is
113 repealed and the following is substituted in lieu thereof (*Effective July*
114 *1, 2004*):

115 (a) No person, firm or corporation shall engage in the business of
116 selling motor vehicles at auction unless such person, firm or
117 corporation is licensed as a new or used car dealer and has obtained an
118 auction permit from the commissioner. Such auction permit may be
119 issued at the discretion of the commissioner. The fee for such auction
120 permit shall be [~~thirteen~~] twenty dollars.

121 Sec. 9. Section 14-69 of the general statutes, as amended by section
122 10 of public act 03-265, is repealed and the following is substituted in
123 lieu thereof (*Effective July 1, 2004*):

124 No person shall engage in the business of conducting a drivers'
125 school without being licensed therefor by the commissioner.
126 Application therefor shall be in writing and shall contain such
127 information as the commissioner requires. Each applicant shall be
128 fingerprinted before such application is approved. If the application is
129 approved, the applicant shall be granted a license upon the payment of
130 a fee of one hundred dollars and a deposit with the commissioner of
131 cash or a bond of a surety company authorized to do business in this
132 state, conditioned on the faithful performance by the applicant of any
133 contract to furnish instruction, in either case in such amount as the
134 commissioner may require, such cash or bond to be held by the
135 commissioner to satisfy any execution issued against such school in a
136 cause arising out of failure of such school to perform such contract.
137 The license fee shall be three hundred fifty dollars. [For each additional
138 place of business of such school, the commissioner shall charge a fee of
139 eighty-eight dollars.] No license shall be required in the case of any
140 board of education, or any public, private or parochial school, which
141 conducts a course in driver education established in accordance with
142 sections 14-36e and 14-36f. A license so issued shall be valid during the
143 calendar year. The annual fee for renewal shall be the same amount
144 and the same deposit of security shall be required. The commissioner
145 shall issue a license certificate or certificates to each licensee, one of
146 which shall be displayed in each place of business of the licensee. In
147 case of the loss, mutilation or destruction of a certificate, the
148 commissioner shall issue a duplicate upon proof of the facts and the

149 payment of a fee of [two] twenty dollars. [Such fee shall be seven
150 dollars.]

151 Sec. 10. Subsection (f) of section 14-73 of the general statutes is
152 repealed and the following is substituted in lieu thereof (*Effective July*
153 *1, 2004*):

154 (f) The fee for an instructor's license, or for any renewal thereof,
155 shall be [three] fifty dollars. [On and after July 1, 1985, such fee shall be
156 four dollars and fifty cents, on and after July 1, 1989, six dollars and
157 seventy-five cents, on and after July 1, 1991, eight dollars and fifty
158 cents, and on and after July 1, 1993, ten dollars and seventy-five cents.]

159 Sec. 11. Subsection (c) of section 14-96q of the general statutes is
160 repealed and the following is substituted in lieu thereof (*Effective July*
161 *1, 2004*):

162 (c) Flashing lights are prohibited on motor vehicles other than
163 school buses, except (1) as a means for indicating a right or left turn, (2)
164 flashing blue lights used by members of volunteer or civil
165 preparedness fire companies, as provided by subsection (b) of section
166 14-96p, (3) on certain emergency and maintenance vehicles by written
167 permit from the commissioner, (4) flashing or revolving yellow lights
168 on (A) wreckers registered pursuant to section 14-66, as amended, or
169 (B) vehicles of carriers in rural mail-delivery service or vehicles
170 transporting or escorting any vehicle or load or combinations of
171 vehicles or vehicles and load which is or are either oversize or
172 overweight, or both, and operated or traveling under a permit issued
173 by the Commissioner of Transportation pursuant to section 14-270, (5)
174 flashing red lights (A) on a motor vehicle accommodating fifteen or
175 fewer handicapped students used only during the time such vehicle is
176 stopped for the purpose of receiving or discharging such handicapped
177 students, (B) used by members of the fire police on a stationary vehicle
178 as a warning signal during traffic directing operations at the scene of a
179 fire, (C) on rescue vehicles, (D) used by chief executive officers of
180 emergency medical service organizations as provided in subsection (a)

181 of section 14-96p, (E) ambulances, as defined in section 19a-175, or (F)
182 used by local fire marshals or directors of emergency management, (6)
183 flashing green lights used by members of volunteer ambulance
184 associations or companies as provided in subsection (c) of section
185 14-96p, or (7) flashing white lights or flashing lights of other colors
186 specified by federal requirements for the manufacture of an ambulance
187 used in conjunction with flashing red lights or flashing head lamps
188 and a flashing amber light on an ambulance responding to an
189 emergency call. The prohibitions in this section shall not prevent the
190 operator of a motor vehicle who while traveling on a limited access
191 divided highway, because of the grade, is unable to maintain the
192 minimum speed of forty miles per hour, or who while traveling on any
193 other highway is operating such motor vehicle at such slow speed as to
194 obstruct or endanger following traffic, or the operator of a disabled
195 vehicle stopped on a hazardous location on the highway, or in close
196 proximity thereto, from flashing lights, installed on the vehicle
197 primarily for other purposes, in any manner that the operator selects
198 so as to indicate that such vehicle is traveling slowly, obstructing
199 traffic or is disabled and is a hazard to be avoided. The commissioner
200 is authorized, at such commissioner's discretion, to issue special
201 permits for the use of flashing or revolving lights on emergency
202 vehicles, on escort vehicles and on maintenance vehicles, provided any
203 person, firm or corporation other than the state or any metropolitan
204 district, town, city or borough shall pay an annual permit fee of two
205 dollars for each such vehicle, provided vehicles not registered in this
206 state used for transporting or escorting any vehicle or load or
207 combinations of vehicles or vehicles and load which is or are either
208 oversize or overweight, or both, when operating under a permit issued
209 by the Commissioner of Transportation pursuant to section 14-270,
210 shall not require such permit. [On and after July 1, 1985, such annual
211 permit fee shall be three dollars, on and after July 1, 1989, four dollars
212 and fifty cents, on and after July 1, 1991, five dollars and seventy-five
213 cents and on and after July 1, 1993, seven dollars.] Such annual permit
214 fee shall be twenty dollars.

215 Sec. 12. Subsection (a) of section 14-192 of the general statutes is
216 repealed and the following is substituted in lieu thereof (*Effective July*
217 *1, 2004*):

218 (a) The commissioner shall be paid the following fees: (1) For filing
219 an application for a certificate of title, twenty-five dollars; (2) for each
220 security interest noted upon a certificate of title or maintained in the
221 electronic title file pursuant to subsection (b) of section 14-175, ten
222 dollars; (3) for each record copy search, [seven] twenty dollars; (4) for
223 each assignment of a security interest noted upon a certificate of title or
224 maintained in the electronic title file, [three dollars and fifty cents] ten
225 dollars; (5) for an application for a duplicate certificate of title, twenty-
226 five dollars, provided such fee shall not be required for any such
227 duplicate certificate of title (A) which is requested on a form prepared
228 and signed by the assessor in any town for purposes of such proof of
229 ownership of a motor vehicle as may be required in accordance with
230 section 12-71b, or (B) in connection with an application submitted by a
231 licensed dealer in accordance with the provisions of subsection (c) of
232 section 14-12 or section 14-61; (6) for an ordinary certificate of title
233 issued upon surrender of a distinctive certificate, [three dollars and
234 fifty cents] ten dollars; (7) for filing a notice of security interest, [three
235 dollars and fifty cents] ten dollars; (8) for a certificate of search of the
236 records of the Department of Motor Vehicles, for each name or
237 identification number searched against, [seventeen dollars and fifty
238 cents] twenty dollars; (9) for filing an assignment of security interest,
239 [three dollars and fifty cents] ten dollars; (10) for search of a motor
240 vehicle certificate of title record, requested by a person other than the
241 owner of such motor vehicle, [ten] twenty dollars; and (11) for a bond
242 filing under section 14-176, twenty-five dollars.

243 Sec. 13. Subsection (c) of section 52-62 of the general statutes is
244 repealed and the following is substituted in lieu thereof (*Effective July*
245 *1, 2004*):

246 (c) Process in such a civil action against a nonresident shall be
247 served by the officer to whom the process is directed upon the

248 Commissioner of Motor Vehicles by leaving with or at the office of the
249 commissioner, at least twelve days before the return day of the
250 process, a true and attested copy thereof, and by sending to the
251 defendant or his administrator, executor or other legal representative,
252 by registered or certified mail, postage prepaid, a like true and attested
253 copy, with an endorsement thereon of the service upon the
254 commissioner, addressed to the defendant or representative at his last-
255 known address. The officer serving the process upon the
256 Commissioner of Motor Vehicles shall leave with the commissioner, at
257 the time of service, a fee of [five] twenty dollars, which fee shall be
258 taxed in favor of the plaintiff in his costs if he prevails in the action.
259 The Commissioner of Motor Vehicles shall keep a record of each such
260 process and the day and hour of service.

261 Sec. 14. Subsection (f) of section 52-63 of the general statutes is
262 repealed and the following is substituted in lieu thereof (*Effective July*
263 *1, 2004*):

264 (f) The officer serving such process upon the Commissioner of
265 Motor Vehicles shall leave with the commissioner, at the time of
266 service, a fee of [five] twenty dollars, which fee shall be taxed in favor
267 of the plaintiff in his costs if he prevails in the action. The
268 Commissioner of Motor Vehicles shall keep a record of each such
269 process and the day and hour of service.

270 Sec. 15. Subsection (n) of section 14-164c of the general statutes is
271 repealed and the following is substituted in lieu thereof (*Effective July*
272 *1, 2004*):

273 (n) No person, firm or corporation shall operate or allow to be
274 operated any motor vehicle that has not been inspected and found to
275 be in compliance with the provisions of subsections (c), (d) and (i) of
276 this section and the regulations adopted by the commissioner.
277 Operation in violation of said subsections or the regulations adopted
278 by the commissioner shall be an infraction for each violation, except
279 that the fine for a first violation shall be thirty-five dollars. The

280 commissioner may deny the issuance of registration to the owner of a
281 motor vehicle, or the renewal of registration to any such owner, or
282 suspend or revoke any registration that has been issued, if such motor
283 vehicle is not in compliance with the inspection requirements of this
284 chapter, or such owner has failed to pay any fee required by the
285 provisions of this chapter.

286 Sec. 16. Subdivision (3) of section 14 of public act 03-4 of the June 30
287 special session is repealed and the following is substituted in lieu
288 thereof (*Effective from passage*):

289 (3) "Incremental revenues" means revenues which are attributable to
290 increases in taxes or fees provided for in sections 1-1h, as amended, 14-
291 16, as amended by this act, 14-35, as amended, 14-41, as amended, 14-
292 41a, as amended, 14-44i, as amended, 14-47, as amended, 14-48b, as
293 amended, 14-49, as amended by this act, 14-50, as amended by this act,
294 14-50b, as amended by this act, 14-65, as amended by this act, 14-66, as
295 amended, 14-67, as amended, 14-69, as amended by this act, 14-73, as
296 amended by this act, 14-96q, as amended by this act, 14-192, as
297 amended by this act, [and] 14-381, as amended, 52-62, as amended by
298 this act, and 52-63, as amended by this act, and revenues specified in
299 sections 113 and 114 of public act 03-1 of the June 30 special session to
300 support the funding of the projects and purposes described in section 3
301 of [this act] public act 03-4 of the June 30 special session.

302 Sec. 17. Subdivision (16) of subsection (b) of section 13b-61 of the
303 general statutes, as amended by section 20 of public act 03-4 of the June
304 30 special session, is repealed and the following is substituted in lieu
305 thereof (*Effective from passage*):

306 (16) On and after July 1, 2003, and up to and including June 30, 2036,
307 all moneys received or collected by the state or any officer thereof on
308 account of, or derived from, the incremental revenues generated
309 pursuant to sections 1-1h, as amended, 14-16, as amended by this act,
310 14-35, as amended, 14-41, as amended, 14-41a, as amended, 14-44i, as
311 amended, 14-47, as amended, 14-48b, as amended, 14-49, as amended

312 by this act, 14-50, as amended by this act, 14-50b, as amended by this
 313 act, 14-65, as amended by this act, 14-66, as amended, 14-67, as
 314 amended, 14-69, as amended by this act, 14-73, as amended by this act,
 315 14-96q, as amended by this act, 14-192, as amended by this act, [and]
 316 14-381, as amended, 52-62, as amended by this act, and 52-63, as
 317 amended by this act, and revenues specified in sections 113 and 114 of
 318 public act 03-1 of the June 30 special session shall be deposited into the
 319 Transportation Strategy Board projects account, established under
 320 section 113 of public act 03-1 of the June 30 special session, of the
 321 Infrastructure Improvement Fund and shall be used to support the
 322 funding of the projects and purposes described in section 3 of [this act]
 323 public act 03-4 of the June 30 special session.

This act shall take effect as follows:	
Section 1	July 1, 2004
Sec. 2	July 1, 2004
Sec. 3	July 1, 2004
Sec. 4	July 1, 2004
Sec. 5	July 1, 2004
Sec. 6	July 1, 2004
Sec. 7	July 1, 2004
Sec. 8	July 1, 2004
Sec. 9	July 1, 2004
Sec. 10	July 1, 2004
Sec. 11	July 1, 2004
Sec. 12	July 1, 2004
Sec. 13	July 1, 2004
Sec. 14	July 1, 2004
Sec. 15	July 1, 2004
Sec. 16	from passage
Sec. 17	from passage

Statement of Legislative Commissioners:

In section 6, the words "or in-transit" were deleted to maintain proper terminology.

TRA

Joint Favorable Subst. C/R

FIN

FIN *Joint Favorable Subst.*